

statement in percent-alcohol-by-volume to emphasize the fact that both expressions of alcohol content mean the same thing.

(c) *State of distillation*—(1) *Mandatory statement.* If a whisky produced in the United States was not produced in the State shown on the label, the label shall show the State of distillation, except as provided by paragraph (c)(2) or (c)(3) of this section. The Director may, however, require the State of distillation to be shown on the label or permit such other labeling as may be necessary to preclude any misleading or deceptive impression which might otherwise be created as to the actual State of distillation.

(2) *Exceptions.* The State of distillation is not required to be shown on labels of “blended whisky”, “a blend of straight whiskies”, “spirit whisky”, “light whisky”, or “blended light whisky”. The State of distillation may be prohibited on certain labels of “light whisky” or “blended light whisky”, in accordance with paragraph (c)(3) of this section.

(3) *Prohibited statement.* The State of distillation may not be shown, except as part of the name and address required by 27 CFR 5.36(a), on labels of “light whisky” or “blended light whisky” produced in a State which the Director finds to be associated by consumers with an American type whisky.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

§ 19.644 Net contents.

The net contents of liquor bottles shall be shown on the label, unless the statement of the net contents is permanently marked on the side, front, or back of the bottle.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

§ 19.645 Name and address of bottler.

There shall be stated on the label of distilled spirits the phrase “Bottled by”, “packed by”, or “Filled by” immediately followed by the name (or trade name) of the bottler and the place where such spirits are bottled. If the bottler is the actual bona fide operator of more than one distilled spirits plant engaged in bottling operations,

there may, in addition, be stated immediately following the name (or trade name) of such bottler the addresses of such other plants. However:

(a) Where distilled spirits are bottled by or for the distiller thereof, there may be stated, in lieu of the phrase “Bottled by”, “Packed by”, or “Filled by”, followed by the bottler’s name (or trade name) and address, the phrase “Distilled by”, followed by the name (or trade name) under which the particular spirits were distilled, or any trade name shown on the distiller’s permit (covering the premises where the particular spirits were distilled), and the address (or addresses) of the distiller;

(b) Where “straight whiskies” of the same type which have been produced in the same State by two or more different distillers are combined (either at time of bottling or at a warehouseman’s bonded premises for further storage) and subsequently bottled and labeled as “straight whisky,” such “straight whisky” shall be labeled in accordance with the requirements of the first paragraph of this section. Where such “straight whisky” is bottled by or for the distillers thereof, there may be stated on the label, in lieu of the requirements of the first paragraph of this section, the phrase “distilled by,” followed by the names (or trade names) of the different distillers who distilled a portion of the “straight whisky,” the addresses of the distilleries where the “straight whisky” was distilled, and the percentage of “straight whisky” distilled by each distiller (with a tolerance of plus or minus 2 percent). In the case where “straight whisky” is made up of a mixture of “straight whiskies” of the same type from two or more different distilleries of the same proprietor located within the same State, and where the “straight whisky” is bottled by or for the proprietor thereof, such “straight whisky” may be labeled, in lieu of the requirements of the first paragraph of this section, with the phrase “distilled by” followed by the name (or trade name) of the proprietor and the addresses of the different distilleries which distilled a portion of the “straight whisky.”

(c) Where distilled spirits are bottled by or for the proprietor of a distilled spirits plant, there may be stated, in lieu of the phrase “Bottled by”, “Packed by”, or “Filled by”, followed by the bottler’s name (or trade name) and address, the phrase “Blended by”, “Made by”, “Prepared by”, “Manufactured by”, or “Produced by” (whichever may be appropriate to the process involved), followed by the name (or trade name) and the address (or addresses) of the distilled spirits plant proprietor;

(d) On labels of distilled spirits bottled for a retailer or other person who is not the actual distilled spirits plant proprietor of such distilled spirits, there may also be stated the name and address of such retailer or other person, immediately preceded by the words “Bottled for”, or “Distributed by”, or other similar statement; and

(e) The label may state the address of the proprietor’s principal place of business in lieu of the place where the bottling, distilling or processing operation occurred, if the address where the operation occurred is indicated by printing, coding, or other markings, on the label or on the bottle. The coding system employed will permit an ATF officer to determine where the operation stated on the label occurred. Prior to using a coding system, the distilled spirits plant proprietor shall send a notice explaining the coding system to the regional director (compliance) of each region where a label code is used.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

[T.D. ATF-198, 50 FR 8464, Mar. 1, 1985, as amended by T.D. ATF-259, 52 FR 41423, Oct. 28, 1987; T.D. ATF-260, 52 FR 42101, Nov. 3, 1987]

§ 19.646 Age of whisky containing no neutral spirits.

In the case of whisky containing no neutral spirits, statements of age and percentage shall be stated on the label as provided in 27 CFR part 5.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

§ 19.647 Age of whisky containing neutral spirits.

In the case of whisky containing neutral spirits, the age of the whisky or

whiskies and the respective percentage by volume of whisky or whiskies and neutral spirits, shall be stated on the label as provided in part 5 of this chapter.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

§ 19.648 Age of brandy.

If brandy is aged for a period of less than two years, the age thereof shall be shown on the label.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

§ 19.649 Presence of neutral spirits and coloring, flavoring, and blending materials.

The presence of neutral spirits or coloring, flavoring, or blending materials shall be stated on labels in the manner provided in 27 CFR part 5.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

§ 19.650 Country of origin.

On labels of imported distilled spirits there shall be stated the country of origin in substantially the following form: “Product of _____,” the blank to be filled in with the name of the country or origin.

(Sec. 201, Pub. L. 85-859, 72 Stat. 1356, as amended (26 U.S.C. 5201))

Subpart T—Closures

SOURCE: T.D. ATF-206, 50 FR 23952, June 7, 1985.

§ 19.661 General.

Each bottle or other container of spirits having a capacity of one gallon (3.785 liters) or less shall bear a closure or other device affixed in accordance with § 19.662. The closure or other device shall be affixed to the container prior to withdrawal from bond or customs custody.

(Approved by the Office of Management and Budget under control number 1512-0461)

(Sec. 454, Pub. L. 98-369, 98 Stat. 494 (26 U.S.C. 5301))

§ 19.662 Affixing closures.

Closures or other devices on containers having a capacity of one gallon